

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2882 of 2024

Sunil Kumar S/o-Late Jaglal Choudhary Resident of -P103/C, Ambedkar Path, In front of Poonam Gas Godown, Rukmini Niwas, Rukanpura, Patna, District-Patna. Presently, Director, Khistiz Agrotech Pvt. Ltd.,

... .. Petitioner/s

Versus

1. The State of Bihar through, the Principal Secretary, Revenue And Land Reforms Department, Government of Bihar, Old Secretariat, Patna.
2. The District Magistrate, Nalanda.
3. The Superintendent Of Police, Nalanda
4. Additional Collector, Nalanda
5. The Sub Divisional Officer, Bihar Sharif, Nalanda.
6. The Circle Officer, Harnaut, Nalanda.
7. The SHO, Harnaut P.S.
8. Raj Kishore Sinha S/o Late Jai Prakash Narayan Singh Village and P.O.- Nehusa, Harnaut, District-Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Bishwa Bibhuti Kumar Singh, Advocate
For the Respondent/s	:	Mr. S. D. Yadav, AAG-9
		Mr. Dinesh Maharaj, AC to AAG-9

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 26-02-2024 Heard the parties.

2. Counter affidavit filed on behalf of respondent no.

5 has been taken on record.

3. The petitioner has moved the Court for the following reliefs:

“(i) For a direction to the respondent no. 7, the SHO, Harnaut to not interfere the business and running of Bio fertilizer unit of KhistizAgrotech Pvt. Ltd., situated at Nehusa, Harnaut because, on 29.1.2024 some police official had come to the Unit and ordered/threatened to the employees to close the Unit and locked up otherwise we will locked up



ourselves and thereafter, the unit is closed.

(ii) For a direction to the respondent no.4, the Additional Collector, Nalanda to decide the Jamabandi Cancellation Case no. 13/2023-24 in accordance with law as early as possible which is filed by the respondent no.8 in which, the petitioner and respondent no.6, the Circle Officer, Harnaut are opposite parties.

(iii) For a direction to the respondents to not take any coercive action against the petitioner or any of the employees of the Bio fertilizer till the disposal of the Jamabandi Cancellation Case no.13/2023-24 or, as your Lordship may deem fit and proper.”

4. The S.H.O. of Harnaut Police Station has appeared along with Mr. S.D. Yadav, Additional Advocate General. Mr. S.D. Yadav has submitted that the premises in question has not been sealed by the police. He also submits that there is no legal impediment for the petitioner to enter the premises in question. Mr. Yadav further submits that the petitioner is wanted in connection with a criminal case and therefore, he is trying to circumvent the same by filing this kind of writ petition.

5. This application is disposed of with liberty to the petitioner to deal with his property in accordance with law as there is no legal impediment on the part of the administration.

(Sandeep Kumar, J)

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